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By ECF

Honorable Philip M. Halpern
United States District Judge
Southern District of New York
500 Pearl Street, Room 1950
New York, New York 10007

Plaintiff is directed to file a response to defendants' pre-motion discovery dispute letter (Doc. 76) by 7/9/2021.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Philip M. Halpern", is written over a horizontal line.

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
July 7, 2021

Re: Tyson v. Town of Ramapo, et al.
Docket No. 17 Civ. 4990 (PMH)
File No. 170100

Your Honor:

This firm represents Defendants. We write to respectfully request that the Court compel Plaintiffs to produce additional, amended HIPAA-compliant authorizations and to supplement her disclosures to provide supplemental witness information. We have tried to resolve these disputes with Plaintiff, both through email discussions and telephonically, but have not been successful.

On January 21, 2020, Defendants served their First Set of Interrogatories and Document Demands on Plaintiff. Plaintiff served responses on March 17, 2020. On June 14, 2020, after some delay and several requests by the Defendants, Plaintiff finally provided HIPAA releases. Defendants processed the authorizations through a records retrieval service, which took longer than usual, likely due to the pandemic slowdown. We have since learned that Plaintiff's authorizations were insufficient to grant access to her psychotherapy notes from her social workers. Defendants followed up with Plaintiff in October 2020, and counsel refused to provide the revised authorizations. Only after a telephonic meet and confer on January 20, 2021, did Plaintiff agree to provide the amended authorizations. Yet, to date, Defendants have not received the authorizations. Without access to Plaintiff's records, it is impossible for Defendants to analyze Plaintiff's emotional distress claims.

Also at issue is Plaintiff's failure to produce contact information for witnesses named in her responses to Defendants First Set of Interrogatories, namely Eric Costello; Wayne Mitchell; Robert Lancia; Sabrina Tyson; William Costello; Claritza Martinez; Keisha Salmon; Esse Tuke; Derek Berg; Johanne Javel; Jessica Javel; Stephanie Javel; Marlene Sanon; Tanisha Smoot-Walls; Jon Moritz; Rose Moritz; Olashina Williams; Andrea Peele Roberts; Diane Duncan; Diane Alston; and Jay Mota. On April 21, 2020, Plaintiff indicated she would not produce the contact information

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Honorable Philip M. Halpern
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unless Defendants agreed to produce personal home addresses for the police officers named in our Rule 26 Initial Disclosures. During a meet and confer on January 20, 2021, Plaintiff agreed she would produce the witness information. To date, Plaintiff has not done so.

We thank the Court for its attention to this matter.

Respectfully submitted,

SOKOLOFF STERN LLP

A handwritten signature in black ink, appearing to read "Leo Dorfman", written over the printed name.

LEO DORFMAN

cc: All parties via ECF